

CHAPTER 1
ORGANIZATION AND PROCEDURES
[Prior to 6/21/91, see Veterans Affairs Department[841] Chs 1, 3, 5]
[Prior to 1/6/93, see Veterans Affairs Division[613] Chs 1, 3, 5]

801—1.1(35,35A,35D) Definitions. The following definitions are unique to the commission of veterans affairs:

“Annual school of instruction” means annual classroom recertification training for officers sponsored and directed by the commission.

“Armed forces graves” means graves of any individuals who die during or after discharge from honorable service in the army, navy, air force, marines, merchant marines, coast guard, or as a federally activated reservist or member of the national guard, and are buried within the state of Iowa.

“Certificate of training” means a certificate provided to an officer upon satisfactory completion of an annual school of instruction.

“Commandant” means the commandant of the Iowa Veterans Home.

“Commission” means the Iowa commission of veterans affairs.

“Commissioner” means a member of the Iowa commission of veterans affairs.

“County commission” means a county commission of veteran affairs.

“County commissioner” means a member of a county commission of veteran affairs.

“Executive director” means the executive director of the Iowa commission of veterans affairs.

“Officer” means an executive director of a county commission, a county commissioner, or a clerical assistant of a county commission.

801—1.2(35,35A,35D) Commission. The commission is established and operates in accordance with Iowa Code chapter 35A as amended by 1992 Iowa Acts, chapter 1140, sections 7 to 11.

1.2(1) Office location. The commission maintains its office at the Iowa Commission of Veterans Affairs at Camp Dodge. The mailing address is: Iowa Commission of Veterans Affairs, c/o Camp Dodge, Building A6A, 7700 NW Beaver Drive, Johnston, Iowa 50131-1902. The telephone number is (515)242-5331 or 1-800-838-4692 (1-800-VET-IOWA).

1.2(2) Meetings and conduct of business.

a. Meetings. Regular meetings of the commission shall be held the first Wednesday of each quarter (January, April, July, October) at 10 a.m. Notice of the time, place, and tentative agenda of all meetings shall be posted on the bulletin board located in the office of the governor 24 hours prior to the meeting. Special meetings shall be held pursuant to call by the chairperson. Notice of time and place shall be posted in the same manner as a regular meeting.

b. A quorum shall consist of two-thirds of the membership appointed and qualified to vote.

c. A quorum is required to carry a position.

d. Copies of minutes shall be kept on file in the office of the commission.

e. In cases not covered by these rules, Robert’s Rules of Order shall govern.

1.2(3) Duties. The duties of the commission are as follows:

a. Organize and annually select a chairperson, senior vice-chairperson and a junior vice-chairperson at the first meeting of each state fiscal year.

b. Adopt rules pursuant to Iowa Code chapter 17A in accordance with 801—Chapters 2, 3, and 4 and establish policy for management and operation of the commission.

c. Prescribe the duties of the executive director and other employees as deemed necessary to carry out the duties of the commission, including but not limited to those set out in rule 1.3(35,35A). Those duties not all-inclusive are training of officers in accordance with Iowa Code chapter 35B, maintenance of the war orphans educational fund, maintaining information and data concerning military service records of Iowa veterans, collecting and maintaining information concerning veterans affairs, and maintaining armed forces graves registration. The executive director shall report directly to the commission. The commission shall supervise the executive director's administration of commission policy other than those related to the Iowa Veterans Home. The executive director shall make a full and detailed report biennially regarding matters pertaining to the commission other than those related to Iowa Code section 35D.17.

d. Supervise the commandant's administration of commission policy for the operation and conduct of the Iowa Veterans Home as set out in rule 1.4(35D,35A) and 801—Chapter 10.

e. Maintain information and data concerning military service records of Iowa veterans.

f. Provide assistance to county commissions including, but not limited to, adoption of rules regarding training of officers, provision of training courses in accordance with Iowa Code chapter 35B as amended by 1992 Iowa Acts, chapter 1075, section 2.

g. Permanently maintain records pertaining to the war orphans educational fund in accordance with Iowa Code section 35.7 as amended by 1992 Iowa Acts, chapter 1140, section 4.

h. Collect and maintain information concerning veterans affairs.

i. Provide information concerning veterans service records and veterans affairs data to authorized recipients in accordance with 801—Chapter 6.

j. Maintain alphabetical armed forces graves registration according to procedures as set out in rule 1.7(35A,35B).

801—1.3(35,35A) Executive director. The executive director is responsible for administering the duties of the commission other than those related to the Iowa Veterans Home.

1.3(1) Office location and hours. The office of the executive director is located at Camp Dodge, Building A6A, 7700 NW Beaver Drive, Johnston, Iowa 50131-1902. The office is open to the public during the hours of 8 a.m. to 4:30 p.m. except Saturday, Sunday, and holidays. The telephone number is (515)242-5331.

1.3(2) Administrative staff. The executive director provides direction to administrative staff employed by the commission to assist the executive director in carrying out assigned duties.

1.3(3) Investigation of applications. The executive director shall examine all applications and approve or disapprove same and make any investigation necessary to establish facts regarding veterans service status and veterans affairs data in accordance with Iowa Code chapters 35 and 35A.

801—1.4(35A,35D) Commandant. The commandant is responsible for administering and enforcing all rules adopted by the commission pertaining to the operation of the Iowa Veterans Home.

1.4(1) Office location and hours. The office of the commandant is located in the Sheeler Building at the Iowa Veterans Home, 1301 Summit, Marshalltown, Iowa 50158-5485. The office is open to the public during the hours of 8 a.m. to 4:30 p.m. except Saturday, Sunday, and holidays. The telephone number is (515)752-1501. In cases of emergencies after hours, the commandant or designee may be reached at that telephone number.

1.4(2) Biennial report. The commandant shall make a full and detailed report biennially regarding matters pertaining to the Iowa Veterans Home in accordance with Iowa Code section 35D.17.

801—1.5 and 1.6 Reserved.

ARMED FORCES GRAVES REGISTRATION

801—1.7(35A,35B) Armed forces graves registration. Armed forces graves registration shall be completed as follows:

1.7(1) *Duties of the funeral director.* The funeral director who contracts to inter the deceased veteran shall complete Armed Forces Graves Registration Record, Form 582-1002, in duplicate, forwarding the original and copy to the county commission.

1.7(2) *Duties of the county commission.* The county commission shall record the information alphabetically, and by description of location in the cemetery where the veteran is buried, in a book prescribed by the commission and kept for that purpose in the office of the county commission. The county commission shall forward the original Armed Forces Graves Registration Record to the executive director at the address provided in subrule 1.3(1).

1.7(3) *Where filed.* The original Armed Forces Graves Registration Record shall be filed at the office of the executive director.

1.7(4) *Forms.* Additional Armed Forces Graves Registration Record forms may be obtained by contacting the executive director's office in accordance with subrule 1.3(1).

This rule is intended to implement Iowa Code sections 35A.3 and 35B.19.

801—1.8 and 1.9 Reserved.

WAR ORPHANS EDUCATIONAL AID

801—1.10(35,35A) War orphans educational aid. Rescinded IAB 2/28/07, effective 1/29/07.

MERCHANT MARINE WAR BONUS

801—1.11(35) Merchant marine war bonus. The merchant marine war bonus shall be administered in accordance with 1999 Iowa Acts, chapter 180, sections 2 and 5.

1.11(1) *Eligibility.* This rule applies to former members of the active, oceangoing merchant marines who served during World War II at any time between December 7, 1941, and December 31, 1946, both dates inclusive, and who had maintained residence in this state for a period of at least six months immediately before entering the merchant marine service, and who were discharged under honorable conditions.

1.11(2) *Application procedures.* The application is available at the commission of veterans affairs. The application may be submitted to the commission with name, address and telephone number, along with required document DD-214.

1.11(3) *Department processing and investigation.*

a. The time period for filing applications shall be from July 1, 1999, to July 1, 2004.

b. The executive director of the commission of veterans affairs will approve or disapprove the application.

1.11(4) *Appeals procedure.* Decisions of the executive director are subject to review by the commission. Applicants may appeal the decisions of the commission as provided by Iowa Code section 17A.19.

1.11(5) *Office address.* The office of the commission of veterans affairs is located at 7700 NW Beaver Drive, Building A6A, Johnston, Iowa 50131-1902.

1.11(6) *Qualified recipient and amount of payment.* The former merchant marine or surviving unremarried widow or widower, child or children, mother, father, or person standing in loco parentis, in the order named and none other, of any deceased person, shall be paid and entitled to receive from moneys appropriated for that purpose the sum of \$12.50 for each month that the person was on active duty in the merchant marine service, all before December 31, 1946, not to exceed a total sum of \$500.

801—1.12 to 1.14 Reserved.

TRAINING FOR COUNTY COMMISSIONS

801—1.15(35A,35B) Training for county commissions. The commission shall provide training for officers in accordance with Iowa Code section 35A.3.

1.15(1) An officer shall attend an annual school of instruction. After attending the annual school of instruction, the officer must take and satisfactorily pass a written test prescribed by the commission. The commission shall issue a certificate of training to the officer upon completion of the annual school of instruction. Newly appointed officers must complete the annual school of instruction within one year from the date of appointment.

1.15(2) An officer must maintain certification to remain in office. To maintain certification, an officer shall attend an annual school of instruction. The commission shall issue a certificate of training to the officer upon completion of the annual school of instruction.

1.15(3) The annual school of instruction and all associated training materials will be provided at the expense of the commission.

1.15(4) Subject to available appropriation, travel and lodging expenses incurred in attending the annual school of instruction shall be eligible for reimbursement by the respective county from the appropriation authorized in Iowa Code section 35B.14.

1.15(5) Attendance at training courses sponsored and directed by veteran organizations other than the commission may not be substituted for the annual school of instruction.

1.15(6) The executive director shall maintain documentation regarding the school of instruction including, but not limited to, agendas, presentation dates, attendees, test results, and issuance of certificates of training.

1.15(7) Inquiries regarding an annual school of instruction shall be directed to the executive director at the address set out in subrule 1.3(1). The executive director shall answer such inquiries.

1.15(8) Disputes regarding the annual school of instruction, certificates of training and related matters shall be reviewed by the chairperson of the commission and a decision rendered by same. Disputes which remain unresolved shall be referred to the commission. The decision of the commission shall be final.

These rules are intended to implement Iowa Code chapters 35 and 35A and sections 35B.6, 35B.11, 35D.1, 35D.13, 35D.16, and 35D.17.

[Filed 5/10/79, Notice 3/7/79—published 5/30/79, effective 7/5/79]

[Filed emergency 6/19/79—published 7/11/79, effective 8/8/79]

[Filed emergency 8/5/91—published 8/21/91, effective 8/21/91]

[Filed emergency 12/18/92—published 1/6/93, effective 1/1/93]

[Filed 12/19/96, Notice 10/23/96—published 1/15/97, effective 2/19/97]

[Filed 7/24/98, Notice 1/28/98—published 8/12/98, effective 9/16/98]

[Filed emergency 12/3/99—published 12/29/99, effective 12/3/99]

[Filed emergency 1/29/07—published 2/28/07, effective 1/29/07]